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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Samuel Robert Queen,

No. CV-14-01135-PHX-PGR (ESW)

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Petitioner,

ORDER

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v.

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Conrad Graber,

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Respondent.

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Petitioner is incarcerated in the Federal Correctional Institution in Sheridan, Oregon. On May 27, 2014, Petitioner filed a Petition under 28 U.S.C. § 2241 for a Writ of Habeas Corpus by a Person in Federal Custody (Doc. 1). At the time he filed his Petition, Petitioner filed a “Motion for Default Judgment against Respondent F.R.C.P. 12(A)” (Doc. 17). Respondent filed his Opposition to Motion for Default Judgment on December 31, 2014 (Doc. 19). Respondent’s Answer was filed on December 9, 2014 (Doc. 14). Respondent was served on November 19, 2014 (Doc. 10, 12).

Pursuant to the Court’s Order of November 17, 2014 (Doc. 9), Respondent had 20 days from the date of service to file an Answer to the Petition. The Court finds that Respondent timely filed his Answer. Therefore, the “Motion for Default Judgment against Respondent F.R.C.P. 12(A)” (Doc. 17) is denied.

Dated this 15th day of January, 2015.



Honorable Eileen S. Willett
United States Magistrate Judge

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